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10/727,927

12/03/2003

John Rexroad

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05/12/2009

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EXAMINER

QUINN, COLLEEN M

ART UNIT

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3634

NOTIFICATION DATE

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOHN REXROAD

Application 10/727,927
Technology Center 3634

Mailed: May 11, 2009

Before Delores Lowe, *Review Team Paralegal*
Lowe, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL

This application was received electronically at the Board of Patent Appeals and Interferences on June 26, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

On March 19, 2008, the Examiner mailed a communication acknowledging receipt of Appellant's Reply Brief, dated January 22, 2008. A review of this communication reveals that the Examiner did not provide proper acknowledgment. The comments made by the Examiner constitute a Supplemental Examiner's Answer. In accordance with MPEP § 1207.05, all supplemental examiner's answers must be approved by a Technology Center (TC) Director or designee. The Communication mailed March 19, 2008, was not signed by the Technology Center Director or designee.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) either vacate the Supplemental Examiner's Answer mailed March 19, 2008 or revise the Supplemental Examiner's Answer by acquiring the Technology Center Director's approval on such;
- 2) have a complete copy of the revised Supplemental Examiner's Answer scanned into the record if applicable; and
- 3) for such further action as may be appropriate.

Application No. 10/727,927

If there are any questions pertaining to this order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/DAL/

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